

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

KENYON RAHEEN GADSDEN, : CIVIL ACTION NO. 1:01-1122

Petitioner : (KANE, J.)

v. : (MANNION, M.J.)

JOHN FANELLO, Warden, :

Respondent :

O R D E R

**FILED**  
**WILKES BARRE**  
SEP 27 2001  
MARY E. D'ANDREA, CLERK  
Per.                       
DEPUTY CLERK

On June 22, 2001, a petition for writ of habeas corpus was filed on behalf of the petitioner by Attorney Robert A. Ratliff of Cincinnati, Ohio. (Doc. No. 1). On the same day, Attorney Ratliff filed a motion for appearance pro hac vice. (Doc. Nos. 2 & 3). Upon review, the court discovered that Attorney Ratliff had failed to sign the motion for appearance pro hac vice. Based upon this discovery, on two (2) occasions, the latest being August 6, 2001, the court contacted Attorney Ratliff to notify him of the oversight and request that he submit a signed copy of the motion for appearance pro hac vice. As of the date of this order, Attorney Ratliff has failed to submit a signed copy of the motion for appearance pro hac vice.

Pursuant to the Federal Rules of Civil Procedure:


Every pleading, written motion, and other paper shall be signed by at least one attorney of record in the attorney's individual name, or, if the party is not represented by an attorney, shall be signed by the party. Each paper shall state the signer's address and telephone number, if any. Except when otherwise specifically provided by rule or statute, pleadings need not be verified or accompanied by affidavit. An unsigned paper shall be stricken unless omission the

signature is corrected promptly after being called to the attention of the attorney or party.

See Fed.R.Civ.P. 11(a).

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- (1) within ten (10) days of the date of this order, Attorney Ratliff is directed to file a signed copy of the motion for appearance pro hac vice; and
- (2) the failure of Attorney Ratliff to file a signed copy of the motion for appearance pro hac vice will result in the motion being stricken.

  
MALACHY E. MANNION  
United States Magistrate Judge

Date: September 27, 2001

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

September 27, 2001

Re: 1:01-cv-01122 Gadsden v. Fanello

True and correct copies of the attached were mailed by the clerk  
to the following:

Robert A. Ratliff, Esq.  
11331 Grooms Road  
Suite 2000  
Cincinnati, OH 45242


cc:		
Judge	( )	( ) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	( )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	( )	
Federal Public Defender	( )	
Summons Issued	( )	with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	( )	with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen ( ) DA of County ( ) Respondents ( )
Bankruptcy Court	( )	
Other _____	( )	

MARY E. D'ANDREA, Clerk

DATE:

9-27-01

BY:

  
Deputy Clerk